

BILL ANALYSIS

S.B. 978
By: Deuell
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that when the law regarding office-based anesthesia usage was first drafted, local anesthesia provided in an outpatient setting was not regulated because it was used only for minor procedures, such as mole removal. However, local anesthesia is now being used for more significant procedures in outpatient settings, such as plastic surgery and liposuction, and it has been reported that some physicians are using much larger and possibly toxic levels of anesthesia for these procedures. Experts warn that these unsafe levels can be harmful or life threatening to a patient if not properly administered or if a patient develops complications. These experts do not suggest that physicians should be prevented from performing local anesthesia, but only that the Texas Medical Board should adopt standards to eliminate wrongdoing in the medical profession and potentially save lives. S.B. 978 seeks to impose those standards.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 978 amends the Occupations Code, in a provision exempting certain outpatient settings from rules adopted by the Texas Medical Board regarding the use of anesthesia, to condition the exemption for an outpatient setting in which only local anesthesia, peripheral nerve blocks, or both are used on the use being in a total dosage amount that does not exceed 50 percent of the recommended maximum safe dosage per outpatient visit.

EFFECTIVE DATE

September 1, 2013.